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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,407	11/05/2001	Hirofada Sasaki	05225.0213	1784

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EXAMINER

TRAN, THUY VAN

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/890,407

Applicant(s)

SASAKI, HIROTADA

Examiner

Thuy v. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by DE 498,917 A (DE '917).

DE '917 discloses an elevator emergency stop device for an elevator cage guided on a guide rail, comprising a wedge-shaped element that effects an emergency stop of the cage by frictional force by means of a contact face of a sliding part (a), Fig. 2, thereof being pressed against the guide rail (D), wherein the wedge shaped element comprises a mechanism (springs) whereby a dimension of the wedge shaped element in the direction perpendicular to the contact face is changed in accordance to the breaking force to maintain the breaking force at a substantially constant level.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by SU 659503 A (SU '503).

SU '503 discloses an elevator emergency stop device for an elevator cage guided on a guide rail, comprising a wedge-shaped element that effects an emergency stop of the cage by frictional force by means of a contact face of a sliding part 1, Fig. 1, thereof being pressed against the guide rail 4, wherein the wedge shaped element comprises a mechanism 6, 10 whereby a dimension of the wedge shaped element in the direction perpendicular to the contact face is changed in accordance to the breaking force to maintain the breaking force at a substantially constant level.

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Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sissala et al. 5,159,995 (Sissala '995).

Sissala '995 discloses an elevator emergency stop device for an elevator cage guided on a guide rail, comprising a wedge-shaped element 2 that effects an emergency stop of the cage by frictional force by means of a contact face of a sliding part (1, 20), Fig. 1, thereof being pressed against the guide rail 11, wherein the wedge shaped element comprises a mechanism 4 (springs) whereby a dimension of the wedge shaped element in the direction perpendicular to the contact face is changed in accordance to the breaking force to maintain the breaking force at a substantially constant level.

Allowable Subject Matter

Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed November 18, 2003 have been fully considered but they are not persuasive.

Applicant argues that DE '917 fail to disclose a mechanism whereby a dimension of said wedge -shaped element is changed in accordance with braking force at a substantially constant level. DE '917 clearly shows in Fig. 2 the dimension of the mechanism (spring) of the wedge-shaped element in the direction perpendicular to the contact face is change in accordance with braking force at a substantially constant level.

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Applicant argues that SU '503 effects stop of an elevator car by shoes contacting the rail, not by "a contact face of a sliding part" of the wedge-shaped element contacting the rail. The vertical line surface of the "shoes 1" is the contact surface and the shoe is sliding relative to element 5, and the dimension of the wedge-shaped element including springs 10 and 6 is being changed in the direction perpendicular to the contact surface in accordance with the braking force.

Applicant argues that Sissala fails to disclose a mechanism whereby a dimension of the wedge shaped element is changed in accordance with braking force at a substantially constant level. The mechanism (spring 4) is being changed in the direction perpendicular to the contact surface in accordance with the braking force at a substantially constant level.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy v. Tran whose telephone number is 703-308-2558. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

TVT (TJT)


EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600